IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 267 OF 2006
IN
APPEAL NO. 19 OF 2006
IN
SUIT NO. 2145 OF 1985

The Wallace Flour Mills Co. Ltd.] .. Appellant (Ori.Defendant)

Versus

New Era Engineering Co.] .. Respondent (Ori.Plaintiff)

Mr. Prakash Mahadik for the applicant.

Mr. V.C. Muralidharan i/b Mr. R.T. Parekh for the respondent.

CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED: 14TH FEBRUARY, 2006

P.C. :

. Heard.

2. In the light of the Affidavit in support of the Notice of Motion, we direct that in place of Rs.2,00,000/- as directed in the order dated 17th January 2006, a sum of Rs.1,54,570/- shall be deposited by 20th February, 2006 and the execution of the impugned decree shall remain stayed. The rest of the order dated

17th January, 2006 regarding withdrawal of the said amount by the decree holder by furnishing solvent surety and security to the satisfaction of the Prothonotary & Senior Master and the consequences of default shall remain as provided in the order dated 17th January, 2006.

3. Notice of Motion stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[ANOOP V. MOHTA, J.]

[srpasha@hc]